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Attorneys for Defendants, Counterclaimants and
Third-Party Plaintiffs KG HOLDINGS, LLC,
QK HOTEL, LLC, and OR HOTEL, LLC
("KG PARTIES")

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,

Plaintiff,

vs.

QK HOTEL, LLC, et al.,

Defendants,

and

FRANKLIN K. MUKAI, et al.,

Third-Party Plaintiffs,

vs.

CV 04-00124 ACK-BMK

CV 04-00127 ACK-BMK

CONSOLIDATED CASES

KG PARTIES' AMENDED

MOTION TO COMPEL

DISCOVERY; MEMORANDUM

IN SUPPORT OF MOTION; LR

37.1(b) CERTIFICATE OF

COMPLIANCE; DECLARATION

OF ROBERT A. MARKS;

SPORTS SHINKO (USA) CO., LTD.,
et al.,

Third-Party Defendants,

and

SPORTS SHINKO (HAWAII) CO.,
LTD., et al.,

Third-Party Defendants/
Counterclaimants,

vs.

QK HOTEL, LLC, et al.,

Third-Party Counterclaim
Defendants.

AND CONSOLIDATED CASE

EXHIBITS 1 - 11; CERTIFICATE
OF SERVICE

KG PARTIES' AMENDED MOTION TO COMPEL DISCOVERY¹

Defendants, Counterclaimants and Third-Party Plaintiffs KG Holdings, LLC, QK Hotel, LLC and OR Hotel, LLC ("KG Parties") hereby move this Honorable Court for an order compelling Sports Shinko Co., Ltd. to respond to certain discovery requests relating to the proof of plaintiff's status as a creditor as it alleges in the complaints herein.

This Motion is made pursuant to Rules 37(a)(2)(A) and 37(a)(3) of the Federal Rules of Civil Procedure and Rule 37.1 of the Local Rules of the United

¹ This Motion is amended to take into account the dismissal of D. Hawaii CV Nos. 04-00125 ACK-BMK, 04-00126 ACK-BMK and 04-00128 ACK-BMK, pursuant to the order of the Honorable Alan C. Kay on April 5, 2006. Judge Kay's order was filed just two hours after this Motion was first filed.

States District Court for the District of Hawaii, and is supported by the attached memorandum and exhibits and the record herein.

While the KG Parties may be entitled to recover their expenses and attorneys' fees incurred in connection with this Motion, they waive that relief, provided the KG Parties reserve all rights and remedies in connection with any subsequent motions under Rule 37 that may hereafter be filed.

DATED: Honolulu, Hawaii, April 11, 2007.

/s/ Robert A. Marks

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